

Environmental Protection Agency

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EFFECTIVE DATE NOTE: At 61 FR 52102, Oct. 4, 1996, part 91 was added, effective Dec. 3, 1996. This part contains information collection and recordkeeping requirements that will not become effective until approval has been given by the Office of Management and Budget.

Subpart A—General

§ 91.1 Applicability.

(a) This part and all its subparts apply to marine spark-ignition engines used to propel marine vessels as defined in the General Provisions of the United States Code, 1 U.S.C.3 (1992), unless otherwise indicated.

(b) Sterndrive and inboard engines are exempt from this part.

(c) Existing technology OB/PWC are exempt from § 91.112 and subparts D, E, F, G, I (§§ 91.803 through 91.805), J, M and N through model year 2003.

(d) This part does not apply to engines that are subject to emission standards under 40 CFR part 1045. See 40 CFR 1045.1 to determine when that part 1045 applies. Note that certain requirements and prohibitions apply to engines built on or after January 1, 2010 if they are installed in equipment that will be used solely for competition, as described in 40 CFR 1045.1 and 40 CFR 1068.1; those provisions apply instead of the provisions of this part 91.

[61 FR 52102, Oct. 4, 1996, as amended at 73 FR 59183, Oct. 8, 2008]

§ 91.2 Applicable date.

This part applies to marine spark-ignition engines beginning with the 1998 model year, except where otherwise specified.

§ 91.3 Definitions.

The following definitions apply to this part 91. All terms not defined herein have the meaning given them in the Act.

Act means the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*

Adjustable parameter means any device, system, or element of design which is physically capable of being adjusted (including those which are difficult to access) and which, if adjusted, may affect emissions or engine performance during emission testing or normal in-use operation.

Administrator means the Administrator of the Environmental Protection Agency or his or her authorized representative.

Amphibious vehicle means a vehicle with wheels or tracks that is designed primarily for operation on land and secondarily for operation in water.

Auxiliary emission control device means any element of design that senses temperature, engine speed, engine RPM, transmission gear, or any other parameter for the purpose of activating, modulating, delaying, or deactivating the operation of any part of the emission control system.